

# HB6243



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB6243

Introduced 2/11/2016, by Rep. Sheri L Jesiel

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Short-Term Residential Rental Property Act. Provides that a short-term residential rental property listed on internet-enabled platforms shall not be regulated by a unit of local government in a manner more restrictive than bed and breakfast establishments are regulated under the Bed and Breakfast Act. Further provides that a short-term residential rental property, platform administrator, rental property host, or guest shall not be taxed by a unit of local government in an amount greater than a hotel, a hotel operator, or hotel guest. Defines terms.

LRB099 19532 AWJ 43926 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the  
5 Short-Term Residential Rental Property Act.

6 Section 5. Definitions. As used in this Act:

7 "Short-term residential rental property" means a single  
8 family residential dwelling with 6 or fewer bedrooms, an  
9 individual residential unit of a multi-family dwelling, a  
10 single bedroom of a single family residential dwelling, or a  
11 single bedroom in an individual residential unit being rented  
12 by a host to a guest.

13 "Host" means a individual, business, or property  
14 management company responsible for the management, care, and  
15 maintenance of a short-term residential rental property listed  
16 on a platform. The host may be responsible for the content of  
17 the advertisement on a platform, the setting of the rental  
18 amount, the check-in or check-out policies and procedures, and  
19 interactions with guests.

20 "Guest" means a person or persons who rents on a daily or  
21 nightly basis, or any part thereof, short-term residential  
22 rental property from a host through a platform for a temporary  
23 period.

1 "Platform" means an internet-enabled application, mobile  
2 application, or any other digital medium used by a platform  
3 administrator to connect guests with short-term residential  
4 rental property hosts.

5 "Platform administrator" means any person or business, who  
6 for compensation or a fee, uses a platform to post  
7 advertisements by short-term residential rental property  
8 hosts, to provide payment collection, and to provide payment  
9 distribution services between the platform administrator,  
10 host, and guest. A platform administrator includes services  
11 such as, but is not limited to, AirBnB.

12 Section 10. Regulation of short-term residential rental  
13 properties. A short-term residential rental property shall not  
14 be regulated by a unit of local government in a manner more  
15 restrictive than bed and breakfast establishments are  
16 regulated under the Bed and Breakfast Act. This Section shall  
17 not be interpreted to require a host to offer breakfast to a  
18 guest.

19 Section 15. Taxing short-term residential rental  
20 properties. Notwithstanding any provision of law to the  
21 contrary, a short-term residential rental property, a platform  
22 administrator, host, or guest shall not be taxed by a unit of  
23 local government in an amount greater than a hotel, a hotel  
24 operator, or hotel guest is taxed under: the Hotel Operators'

1 Occupation Tax Act; Section 5-1030 of the Counties Code;  
2 Sections 8-3-13, 8-3-14, 8-3-14a, or 11-74.3-6 of the Illinois  
3 Municipal Code; Section 13 of the Metropolitan Pier and  
4 Exposition Authority Act; Section 19 of the Illinois Sports  
5 Facilities Authority Act; Section 105 of the Downstate Illinois  
6 Sports Facilities Authority Act; or any other future enacted  
7 hotel tax.

8 Section 20. Home rule. A unit of local government may not  
9 regulate or tax short-term residential rental property in a  
10 manner inconsistent with this Act. This Act is a limitation  
11 under subsection (i) of Section 6 of Article VII of the  
12 Illinois Constitution on the concurrent exercise by home rule  
13 units of powers and functions exercised by the State.